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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,095	03/02/2007	Zhenfu Zhao	007556.00001	5773
22907	7590	09/17/2009		
BANNER & WITCOFF, LTD. 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051			EXAMINER	
			ANWARI, MACEEH	
			ART UNIT	PAPER NUMBER
			2444	
			MAIL DATE	DELIVERY MODE
			09/17/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

***Advisory Action  
Before the Filing of an Appeal Brief***

**Application No.**

10/585,095

**Examiner**

MACEEH ANWARI

**Applicant(s)**

ZHAO ET AL.

**Art Unit**

2444

***--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --***

**THE REPLY FILED 3 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.**

1.  The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a)  The period for reply expires \_\_\_\_ months from the mailing date of the final rejection.  
 b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
 Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2.  The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3.  The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a)  They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b)  They raise the issue of new matter (see NOTE below);  
 (c)  They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d)  They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4.  The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.

6.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7.  For purposes of appeal, the proposed amendment(s): a)  will not be entered, or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: \_\_\_\_\_

Claim(s) withdrawn from consideration: \_\_\_\_\_

**AFFIDAVIT OR OTHER EVIDENCE**

8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fail to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet

12.  Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_

13.  Other: \_\_\_\_\_

/William C. Vaughn, Jr./  
 Supervisory Patent Examiner, Art Unit 2444

Continuation of 11. does NOT place the application in condition for allowance because: In substance the applicant argues: that neither Lim nor Wong disclose or suggest: 1) modifying one or more protocol fields in at least one DHCP message communicated between a DHCP relay, the DHCP client and the DHCP server so that the at least one DHCP message communicated between the DHCP client and the DHCP server can pass through the DHCP relay; 2) upon receiving a DHCP message for response sent from the DHCP server to the DHCP client, replacing at least one server parameter of a field associated with the DHCP server in the DHCP message for response with at least one relay parameter of the DHCP relay (i.e. allowing the unicast request sent to the DHCP server to still be sent to the DHCP relay after the DHCP client has configured IP address).

In response to 1), the examiner respectfully disagrees. The applicant's recitation of the term "relay" is broad and can be read as any intermediary device that helps with transmitting a message between two endpoints (i.e., client and server). Therefore, the examiner asserts that Lim and Wong do still in fact meet this limitation. Firstly, Lim discloses in figure 1, a block diagram of a computer network representing the environment for the present invention; and as such discloses that all the clients [102a-102f] interact w/ the DHCP server [110] through two intermediary devices (i.e. relay devices) the cable modem [104a-104f] and the router [106]; hence all communications/transmissions must be made through these relay devices. Furthermore, Lim discloses that in fact the cable modem and the router make up the "relay agent" [Col. 49-64]; this taken along with the addition of the "trusted identifier" to the DHCP header fields reads on this limitation.

In response to 2), the examiner respectfully disagrees. As stated above, all communications in Lim must be done through the "relay agent" (i.e. the combination of the cable modems and the router); therefore the examiner asserts that Lim's disclosure of sending/marketing in the setting op [402] to BOOTREPLY (i.e. a DHCPACK or DHCPNAK to the client) and having it pass through the "relay agent" reads on this limitation.